



**U S Army Corps
of Engineers**
Huntington District

Public Notice

In reply refer to Public Notice No.

200501207

Issuance Date:

October 14, 2005

Stream: **wetlands adjacent to an**

Closing Date:

Unnamed trib. of Alum Creek

November 14, 2005

Please address all comments and inquiries to:

U.S. Army Corps of Engineers, Huntington District

ATTN: CELRH-OR-F Public Notice No. (*reference above*)

502 Eighth Street

Huntington, West Virginia 25701-2070

Phone: (304) 399-5210

PUBLIC NOTICE: The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

REGULATORY PROGRAM: Since its early history, the U.S. Army Corps of Engineers (Corps) has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the Corps Regulatory Program.

SECTION 10: The Corps is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate all work or structures in or affecting the course, condition or capacity of navigable waters of the United States (U.S.). The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

SECTION 404: The Corps is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the discharge of dredged and fill material into all waters of the United States, including wetlands. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

TO WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act. This notice serves as the Corps of Engineers' request to the Ohio Environmental Protection Agency to act on Section 401 Water Quality Certification for the following application.

APPLICANT: Plaza Properties
3016 Maryland Avenue
Columbus, Ohio 43209-1591

LOCATION: The proposed 35-acre project is located within wetlands adjacent to an unnamed tributary of Alum Creek east of Cassady Avenue and northwest of Interstate 670 in the City of Columbus, Franklin County, Ohio. Longitude W 82.92698°, Latitude N 40.00379°

DESCRIPTION OF PROPOSED WORK: The applicant is requesting authorization for the placement of fill material into waters of the United States to facilitate construction of the Airpoint Site, a proposed commercial development. This development would include medical and commercial office buildings, a hotel, commercial outparcels (restaurants, fuel stations, etc.) and attendant features (roads, parking lots, etc.). Implementation of the proposal would include impacts to all 1.2 acres of the jurisdictional waters of the United States (Wetland A and Wetland B) within the project boundaries.

Plans of the proposal are attached to this notice.

Mitigation: As mitigation for the proposed wetland impacts, the applicant has submitted a conceptual mitigation plan that includes a combination of two separate off-site mitigation techniques. The applicant has reserved 1.2 acres (a 1:1 mitigation ratio) of wetland bank credit at the Wetlands Resource Center's Little Scioto Mitigation bank. The applicant also proposes to restore and/or enhance 0.62 acres of wetland (a 0.5:1 mitigation ratio) with Somerset Park. As shown in the attached Figure 3, this mitigation site is located along the east site of Gatewood Road and north of Angler Road, in Columbus, Franklin County, Ohio.

Alternatives Analysis: A total of 1.21 acres of jurisdictional wetlands would be filled as a result of the proposal. Construction of the proposal does not require access to or siting within wetlands to fulfill its basic purpose and is considered a non-water dependent activity. The Section 404(b)(1) Guidelines state that for non-water dependent activities, practicable alternatives that do not involve wetlands are presumed to be available unless clearly demonstrated otherwise. All practicable alternatives not involving such discharges into special aquatic sites are presumed to have less adverse impacts to the aquatic system. The applicant is required to provide an alternative analysis that must overcome the presumption prior to receiving authorization for the placement of fill material. The applicant has submitted the required alternative analysis, which is currently under review by this office.

WATER QUALITY CERTIFICATION: A Section 401 Water Quality Certification is required for this project. It is the applicant's responsibility to obtain certification from the Ohio Environmental Protection Agency.

HISTORIC & CULTURAL RESOURCES: The National Register of Historic Places has been consulted and it has been determined there are no properties currently listed on the register that are in the area affected by the project. A Phase I Cultural Resources Investigation has been performed within this site. Based on the results of this investigation, no additional cultural resources investigations were recommended. Upon review of this information, our office has determined the proposed project would have no effect on properties eligible for the National

Register of Historic Places. A copy of this public notice and a copy of the Phase I Cultural Resources Investigation Report will be furnished to the State Historic Preservation Office for their review. Comments concerning archaeological sensitivity of the project area should be based on collected data.

THREATENED & ENDANGERED SPECIES: This project is located within the known or historic range of the Indiana bat (endangered); Scioto madtom (endangered); northern riffleshell mussel (endangered); clubshell mussel (endangered); Eastern massasauga (proposed candidate species) and the rayed bean mussel (currently under evaluation for Federal Candidate species). The applicant has indicated the site does not contain suitable habitat for the Indiana bat; therefore, our office has determined the proposal is not likely to adversely affect this species. Implementation of the proposal would not impact habitat suitable for the Scioto madtom, clubshell mussel, northern riffleshell mussel, rayed bean mussel, or the eastern massasauga. Based on this information, our office has determined implementation of the proposal would have no effect on these species.

This public notice serves as a request to the U.S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

PUBLIC INTEREST: Any person who has an interest, which may be adversely affected by the issuance of a permit, may request a public hearing. The request must be submitted in writing to the District Engineer on or before the expiration date of this notice and must clearly set forth the interest which may be adversely affected and the manner in which the interest may be adversely affected by the activity.

Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors that may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are: conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act. Written statements on these factors received in this office on or before the expiration date of this public notice will become a part of the record and will be considered in the final determination. A permit will be granted unless its issuance is found to be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal.

To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

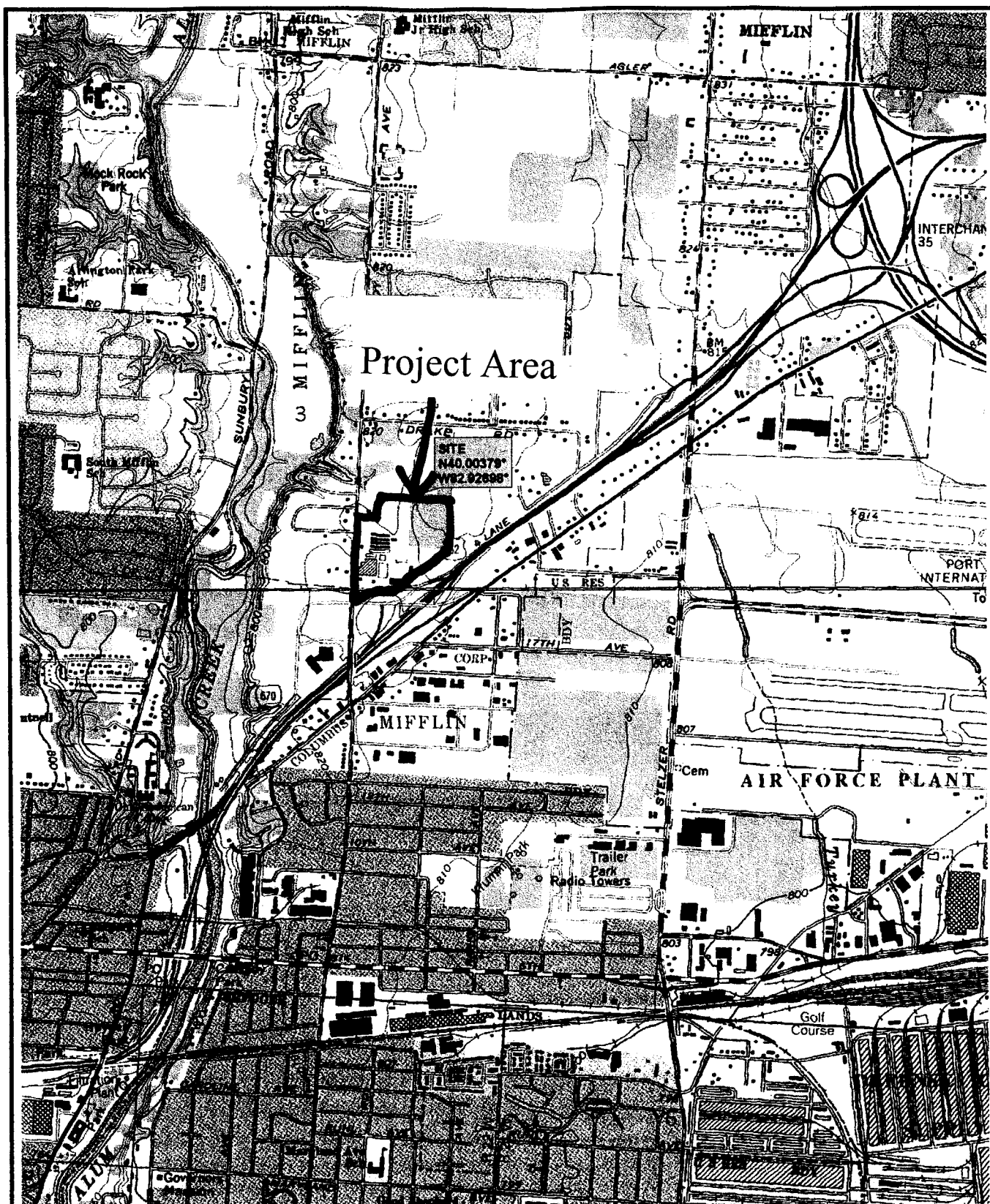
CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before the close of the comment period listed on page one of this Public Notice. Persons wishing to submit comments, objections or requests for public hearings concerning the Corps of Engineers permit should write:

U.S. Army Corps of Engineers
ATTN: CELRH-OR-F Public Notice No. 200501207
502 8th Street
Huntington, West Virginia 25701-2070

Please note, the names and addresses of those who submit comments in response to this public notice become part of our administrative record and, as such, are available to the public under provisions of the Freedom of Information Act. Thank you for your interest in our nation's water resources. If you have any questions concerning this public notice, please call Ms. Susan A. Fields of my staff at 304-399-5210.


Ginger Mullins
Chief, Regulatory Branch

(O)



Source: Delorme 3-D TopoQuads®

USGS Quadrangle Coverage: Northeast Columbus, Ohio



Civil & Environmental Consultants, Inc.

Columbus, OH 43240

(614) 540-6633 1-888 598-6808

Cincinnati, OH Pittsburgh, PA Indianapolis, IN Nashville, TN Chicago, IL St. Louis, MO

Drawn By: RBG

Scale: 1" = 2000'

Date: 7-19-05A

**SITE LOCATION MAP
AIRPOINTE SITE
COLUMBUS, OHIO**



Airpointe Site

200501207 – Wetlands Adj. to U/T Alum Creek
Franklin County, Ohio
Location Map, Sheet 1 of 3

SITE STATISTICS

AS SHOWN ON PLAN	REQUIRED	LOST DUE TO WETLAND/BUFFER
TOTAL BUILDING SQUARE FOOTAGE	262,000 S.F.	262,000 S.F.
TOTAL PARKING PROVIDED	1708 SPACES	1708 SPACES
DEVELOPABLE ACRES	41-22.8 AC.	41-22.8 AC.
AREA OF WETLAND IMPACTED FOR DEVELOPABLE ACRES (DOES NOT INCLUDE OUTPARCELS)		1.31 AC.

Summary of Wetland Impacts - Preferred Design Alternative				
ID	Wetland Extent	Proposed Impacts	Extent of Preserved Wetland	Extent of Vegetated Upland Buffer
Wetland A	0.29	0.29	0.00	0.00
Wetland B	0.92	0.92	0.00	0.00

1-470

OFFICE
41-10.3 AC.
150,000 S.F.
4-STORY
1,200 PARKING

AMBIHOT
41-21 AC.

OFFPARCEL
41-22 AC.

OFFPARCEL
41-13 AC.

OFFPARCEL
41-13 AC.

OFFPARCEL
41-13 AC.

OFFPARCEL
41-13 AC.

OFFPARCEL
41-13 AC.

OFFPARCEL
41-13 AC.

OFFPARCEL
41-13 AC.

OFFPARCEL
41-13 AC.

WETLAND A

MID-ORIO ONCOLOGY
41-8 AC.
150,000 S.F.
4-STORY
510 PARKING

WETLAND AREA

WETLAND B

OFFICE
41-14 AC.
150,000 S.F.
4-STORY
250 PARKING

WATER QUALITY POND

CASSADY AVENUE

PROPOSED
TRAFFIC LIGHT

ACORN

WATFLE HOUSE

MARROTT

COURTARD 17 MARROTT

WETLAND STUDY- PREFERRED DESIGN ALTERNATIVE

Airpointe Centre

PREPARED FOR PLAZA PROPERTIES

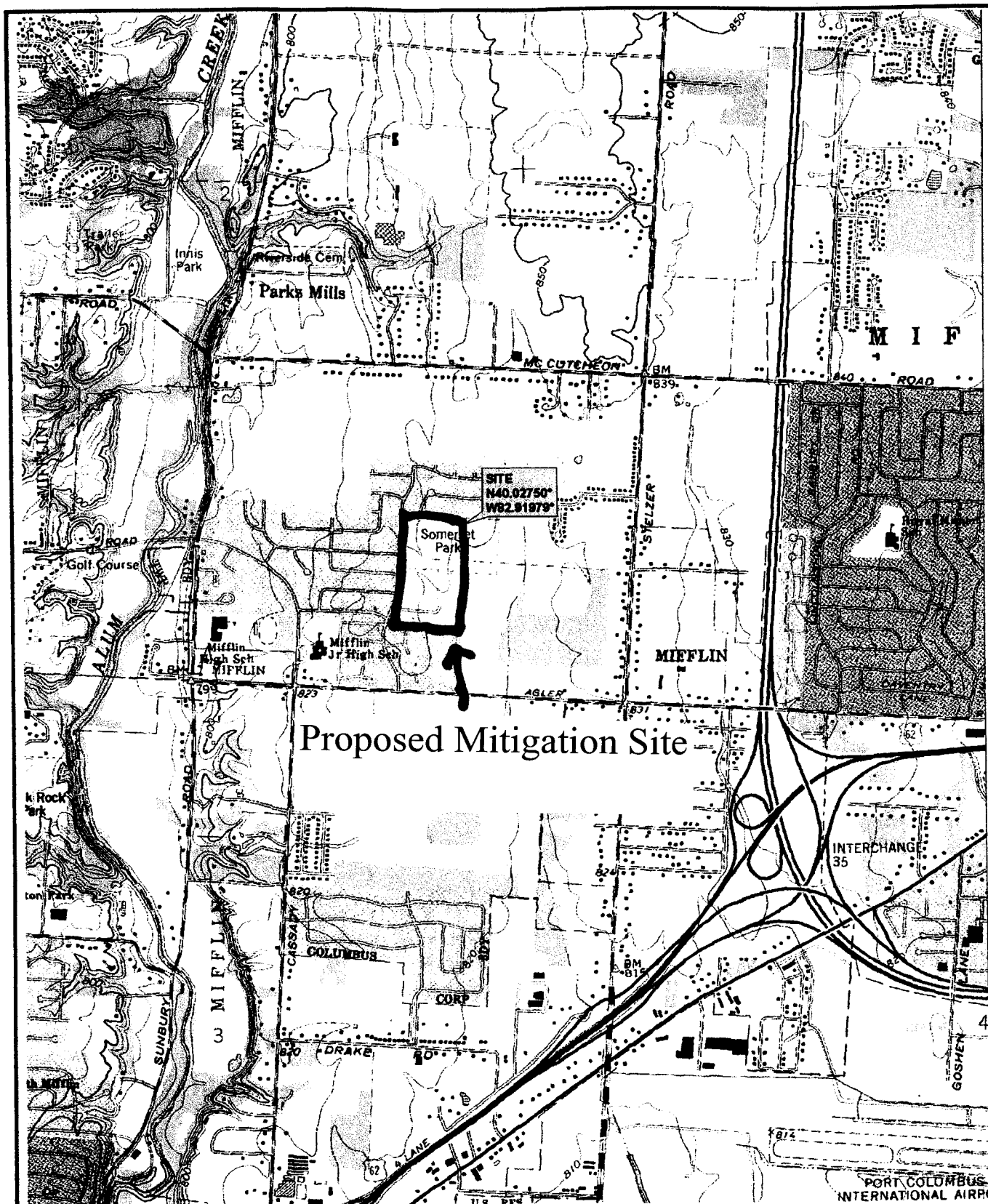
3.13.06



Karis Planning & Design

LAND PLANNING & LANDSCAPE ARCHITECTURE
1284 Grandview Avenue
Columbus, OH 43212
614.467.1944
FAX 614.467.1975

Airpointe Site
200501207 - Wetlands Adj. to U/T Alum Creek
Franklin County, Ohio
Plan View, Sheet 2 of 3



Source: Delorme 3-D TopoQuads®

USGS Quadrangle Coverage: Northeast Columbus, Ohio



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Drawn By: RBG

Scale: 1" = 2000'

Date: 9-27-05

**SITE LOCATION MAP
SOMERSET PARK POTENTIAL
MITIGATION SITE**



Airpointe Site
200501207 – Wetlands Adj. to U/T Alum Creek
Franklin County, Ohio
Mitigation Site Location Map, Sheet 3 of 3